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12
13 **UNITED STATES DISTRICT COURT**
14 **DISTRICT OF NEVADA**

15 Jamar L. Glasper,

16 Plaintiff,

17 v.

18 Louis DeJoy, Postmaster General, U.S.
19 Postal Service; DOES I through X,
20 inclusive; and ROE Corporations 1
21 through X, inclusive,

22 Defendants.

23 Case No. 2:23-cv-01761-JAD-BNW

24 **Stipulation and Order to Stay Discovery**
(First Request)

25 Plaintiff, Jamar L. Glasper, by and through counsel, and Federal Defendants Louis
26 DeJoy, Postmaster General, and the United States Postal Service, by and through counsel
27 hereby stipulate and agree to stay discovery in this case, including the filing of a discovery
28 plan and scheduling order, the exchanging of Fed. R. Civ. P. 26(a) disclosures, and
29 participating in the currently scheduled Early Neutral Evaluation pending a ruling on
30 Federal Defendants' motion to dismiss. Additionally, the parties stipulate and agree that
31 Plaintiff shall have an extra two weeks to respond to the motion to dismiss, until **April 23,**
32 **2024.** Federal Defendants shall have an extra week to file a reply, until **May 7, 2024.**

1 The parties agree that that the issues raised by Federal Defendants' motion to
2 dismiss are threshold issues to be determined by the Court. As such, the motion should be
3 resolved before the parties engage in any discovery, including the filing of a stipulated
4 discovery plan and/or the exchange of disclosures under Rule 26, and/or participating in
5 an early neutral evaluation. This stipulation is based on the following:

6 1. This action arises out of Plaintiff's termination from his federal employment
7 with USPS. *See* ECF No. 2.

8 2. Federal Defendants moved to dismiss as to the timeliness and for failure to
9 plead sufficient factual allegations to sustain claims of racial discrimination, age
10 discrimination, or retaliation (ECF No. 9).

11 3. Since the filing of Federal Defendants' motion, the Court issued an order
12 scheduling an Early Neutral Evaluation ("ENE") to be held on April 29, 2024 (ECF No.
13 10). The Court also scheduled a hearing on the motion to dismiss to be held on May 8,
14 2024 (ECF No. 11).

15 4. Since the Court's orders, the parties have consulted and agree that discovery
16 in this case including the filing of the discovery plan and scheduling order, the exchanging
17 of Rule 26 disclosures, and participating in the ENE should be stayed pending the Court's
18 resolution of the motion to dismiss.

19 5. Additionally, due to preplanned and upcoming travel by Plaintiff's counsel,
20 the parties stipulate and agree that Plaintiff's response to the motion to dismiss should be
21 extended by two weeks, until **April 23, 2024**, and Federal Defendants' reply brief should
22 be extended by a week, until **May 7, 2024**.

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1 6. Counsel for the parties have a good working relationship. This stipulation is
2 not being sought for purposes of delay but as a means to preserve the parties' resources,
3 work with the parties' schedules, and in the interest of judicial economy.

4 Accordingly, the parties hereby stipulate and agree that discovery, including the
5 filing of the discovery plan, the exchange of Rule 26 disclosures, and the participation in
6 the ENE should be stayed until the Court rules on the pending motion to dismiss. The
7 parties further stipulate and agree that Plaintiff's response to the motion should be filed by
8 **April 23, 2024**, and Federal Defendants' reply filed by **May 7, 2024**.

9 Respectfully submitted this 5th day of April 2024.

10 HOLMAN LAW OFFICE

11 */s/ Kristina S. Holman*

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17 **IT IS SO ORDERED:**

18 
19 **UNITED STATES JUDGE**

20 **4/9/2024**

21 **DATED**